

**RESOLUTION OF THE
MEMBERS OF
HAMRICK ESTATES HOMEOWNERS ASSOCIATION, INC.**

The Members of HAMRICK ESTATES HOMEOWNERS ASSOCIATION, INC., a Florida not for profit corporation (the "Association"), held a special meeting on the ____ day of _____, 20__, at which the Members were provided sufficient notice and were present, and such Members constituted a quorum. The meeting was held to authorize, approve and adopt the First Amendment to Declaration of Covenants, Conditions, and Restrictions for the Association. The business conducted at the meeting was limited to the purposes contained in the notice of such special meeting. The following resolutions were adopted at the meeting:

WHEREAS, the Association desires to amend its current Declaration of Covenants, Conditions, and Restrictions for Hamrick Estates as recorded on October 1, 2021, in Official Records Document Number 20210600950, Public Records of Orange County, Florida (the "Declaration"), by executing and recording in the Public Records of Orange County, Florida the First Amendment to Declaration of Covenants, Conditions, and Restrictions for the Association (the "Amendment"); and

WHEREAS, pursuant to Article XI of the Association's existing Declaration, the Declaration may be amended by at least two-thirds (2/3) of the votes of the Members of the Association cast in person or by proxy at a meeting duly called, and the recorded Amendment shall contain a recitation that notice was given as above set forth and said recitation shall be conclusive as to all parties, and all parties of any nature whatsoever shall have full right to rely upon said recitation in such recorded Amendment; and

WHEREAS, the Amendment shall be effective upon recordation thereof among the Public Records of Orange County, Florida; and

WHEREAS, the Members of the Association have considered and reviewed the Amendment substantially in the form attached hereto as Exhibit A and believe it is in the best interests of the Association to adopt and record the Amendment in the Public Records of Orange County, Florida; now, therefore, be it

RESOLVED, that two-thirds (2/3) of the votes of the Members of the Association have been received and the Members hereby authorize, approve and adopt the Amendment effective immediately and that the Secretary of the Association be, and the same hereby is, instructed to record the executed Amendment among the Public Records of Orange County, Florida, and to place in the Association's minute book a copy of such recorded Amendment.

RESOLVED, that the Authorized Officers of the Association be, and the same hereby are, authorized, empowered, and directed for, in the name of, and on behalf of the Members of the Association to execute the Amendment referred to in these resolutions with such changes, modifications, or amendments thereto as such officer so acting deems necessary or advisable and in the best interests of the Association and to do all other acts, and take all actions, and prepare all papers, instruments, and documents, and do all other things in connection with the transactions contemplated by these resolutions, which such officer in their sole discretion approves as being proper, appropriate, or necessary in connection therewith, with the signature of the Authorized Officer so acting being deemed conclusive evidence of their approval.

IN WITNESS WHEREOF, the following resolutions were duly adopted at a meeting of the Members of the Association held on the date first written above.

MEMBERS:

By:

HAMRICK ESTATES HOMEOWNERS
ASSOCIATION, INC., a Florida not for profit
corporation

By: _____
Robert N. Wallen, Director

By:  _____
Todd Luke, Director

By: _____
Alan Miller, Director

(CORPORATION'S CORPORATE SEAL)

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WHEREAS, pursuant to Article XI of the Association's existing Declaration, the Declaration may be amended by at least two-thirds (2/3) of the votes of the Members of the Association cast in person or by proxy at a meeting duly called, and the recorded Amendment shall contain a recitation that notice was given as above set forth and said recitation shall be conclusive as to all parties, and all parties of any nature whatsoever shall have full right to rely upon said recitation in such recorded Amendment; and

WHEREAS, the Amendment shall be effective upon recordation thereof among the Public Records of Orange County, Florida; and

WHEREAS, the Members of the Association have considered and reviewed the Amendment substantially in the form attached hereto as Exhibit A and believe it is in the best interests of the Association to adopt and record the Amendment in the Public Records of Orange County, Florida; now, therefore, be it

RESOLVED, that two-thirds (2/3) of the votes of the Members of the Association have been received and the Members hereby authorize, approve and adopt the Amendment effective immediately and that the Secretary of the Association be, and the same hereby is, instructed to record the executed Amendment among the Public Records of Orange County, Florida, and to place in the Association's minute book a copy of such recorded Amendment.

RESOLVED, that the Authorized Officers of the Association be, and the same hereby are, authorized, empowered, and directed for, in the name of, and on behalf of the Members of the Association to execute the Amendment referred to in these resolutions with such changes, modifications, or amendments thereto as such officer so acting deems necessary or advisable and in the best interests of the Association and to do all other acts, and take all actions, and prepare all papers, instruments, and documents, and do all other things in connection with the transactions contemplated by these resolutions, which such officer in their sole discretion approves as being proper, appropriate, or necessary in connection therewith, with the signature of the Authorized Officer so acting being deemed conclusive evidence of their approval.

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MEMBERS:

By:

HAMRICK ESTATES HOMEOWNERS
ASSOCIATION, INC., a Florida not for profit
corporation

By: _____
Robert N. Wallen, Director

By: _____
Todd Luke, Director

By: _____
Alan Miller, Director

(CORPORATION'S CORPORATE SEAL)

Exhibit A

First Amendment to Declaration of Covenants, Conditions, and Restrictions for
Hamrick Estates Homeowners Association, Inc.

This document prepared
by and return to:

Jason W. Searl, Esq.
GrayRobinson, P.A.
301 E. Pine Street, Suite 1400
Orlando, Florida 32801

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
AND RESTRICTIONS FOR HAMRICK ESTATES**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR HAMRICK ESTATES (the "Amendment") is made this _____ day of _____, 2022, by **WEKIVA POINTE, LLC**, a Florida limited liability company (the "Declarant"), whose address is 4000 Pipe Down Cove, Sanford, Florida 32771, and **HAMRICK ESTATES HOMEOWNERS ASSOCIATION, INC.**, a Florida not for profit corporation, whose address is 4000 Pipe Down Cove, Sanford, Florida 32771 (the "Association").

RECITALS:

A. Declarant recorded that certain Declaration of Covenants, Conditions, and Restrictions for Hamrick Estates on October 1, 2021, in Official Records Document Number 20210600950, Public Records of Orange County, Florida (the "Declaration").

B. [Declarant and the Association comprise all of the Members of the Association and at a duly called meeting of the Association, the Association membership passed a resolution adopting this Amendment].

C. The Members and the Association desire to amend the Declaration as hereinafter set forth, in accordance with the terms and conditions of this Amendment.

NOW, THEREFORE, the parties hereto amend the Declaration as follows:

1. The above Recitals are true and correct and are hereby incorporated herein by reference.

2. ~~[Pursuant to Article XI (Amendment) of the Declaration, the Declaration may be amended by the vote of at least two-thirds (2/3) of the votes of the Association].~~

3. Article VI (Covenant for Maintenance Assessments), Section 5 of the Declaration is hereby deleted and the following shall be inserted in lieu thereof:

“Annual assessments on the Lots in the Property shall commence upon the closing of the first Lot in the Property to a bona fide third-party purchaser. The annual assessment for the Property for the calendar year 2022 shall be Six Hundred Dollars (\$600.00) per Lot, together with an annual communications fee in the amount of Six Hundred Dollars (\$600.00) per Lot (the annual communications fee is the monthly charge of Fifty Dollars (\$50.00) per Lot for the provision of cable and internet communications to the Lot). At the closing of the sale of each Lot in the Property by Declarant to the first purchaser from Declarant, the purchaser shall pay to the Association (i) a one-time Start-Up Assessment in the amount of Six Hundred Dollars (\$600.00), and (ii) the entire annual assessment for the calendar year of closing, together with the entire annual communications fee, prorated on a per diem basis from the date of closing through the end of that calendar year. Thereafter, annual assessments shall be due, in advance, on or before the commencement of the Association fiscal year for which imposed; but the Board may elect to collect annual assessments in monthly, quarterly or semi-annual installments. In the event of such deferred payments, the Board may but shall not be required to charge a uniform, lawful rate of interest on the unpaid balance. The Board may accelerate the balance of any annual assessment upon default in the payment of any installment thereon. Annual assessments that commence to accrue as to any Lot other than on the first day of the year shall be prorated for the balance of that year. After the one-time Start-Up Assessment has been paid as to a Lot in the Property, subsequent purchasers of said Lot shall not be required to pay said Start-Up Assessment.”

4. Capitalized terms used herein, unless specifically defined herein, shall have the same meaning as set forth in the Declaration. All other terms and conditions of the Declaration remain the same.

[REMAINDER INTENTIONALLY BLANK - SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals the day and year first above written.

DECLARANT:

Signed, sealed and delivered in the presence of:

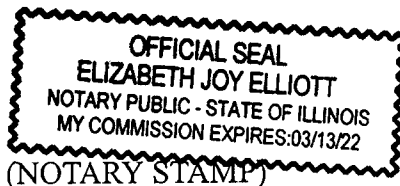
WEKIVA POINTE, LLC,
a Florida limited liability company

Dary Reed
Print: Dary Reed
William N. Kosmiceja
Print: William N. Kosmiceja

By: [Signature]
Name: Alan Miller
Title: Manager

STATE OF Illinois
COUNTY OF McHenry

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 2 day of February, 2022, by Alan Miller, as the Manager of **WEKIVA POINTE, LLC**, a Florida limited liability company, on behalf of the company. He/She ☒ is personally known to me or ☐ has produced _____ as identification.



Elizabeth J. Elliott
Name: _____
[Signature]
Title: Notary Public
My Commission Expires: 3/13/2022

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

Signed, sealed and delivered
in the presence of:

ASSOCIATION:

Signed, sealed and delivered in the
presence of:

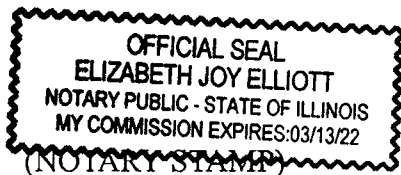
**HAMRICK ESTATES HOMEOWNERS
ASSOCIATION, INC.,** a Florida
not for profit corporation

Dary Reed
Print: Dary Reed
William W. Kosmiej
Print: William W. Kosmiej

By: [Signature]
Name: Alan Miller
Title: Director

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization, this 2nd day of February, 2022, by
Alan Miller, as the Director of **HAMRICK ESTATES HOMEOWNERS
ASSOCIATION, INC.**, a Florida not for profit corporation, on behalf of the company.
He/She ☒ is personally known to me or ☐ has produced
_____ as identification.



Elizabeth J Elliott
Name: _____
[Signature]
Title: Notary Public
My Commission Expires: 3/13/2022

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

JOINDER AND CONSENT BY MORTGAGEE

KNOW ALL MEN BY THESE PRESENTS:

THAT **NVR INC.**, a Virginia corporation (the "Mortgagee"), whose address is 11700 Plaza America Dr., Suite 500, Reston, Virginia 20190, the owner and holder of that certain Mortgage dated October 11, 2019, and recorded in Official Records Instrument No. 20190637775 (the "Mortgage") encumbering the Property described in the above-referenced Declaration of Covenants, Conditions and Restrictions, by the execution hereof, hereby joins into and consents to the foregoing First Amendment to Declaration of Covenants, Conditions, and Restrictions for Hamrick Estates.

IN WITNESS WHEREOF, the Mortgagee has executed this Joinder and Consent by Mortgagee this _____ day of _____, 2022.

Signed, sealed and delivered in the presence of:

_____ By: _____

Print: _____ Name: _____

_____ Title: _____

_____ Date: _____

Print: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2022, by _____, as the _____ of **NVR INC.**, a Virginia corporation, on behalf of the company. He/She ☐ is personally known to me or ☐ has produced _____ as identification.

Name:

Title: Notary Public

My Commission Expires: _____

(NOTARY STAMP)

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

JOINDER AND CONSENT BY MORTGAGEE

KNOW ALL MEN BY THESE PRESENTS:

THAT **FIRST COLONY BANK OF FLORIDA.**, a Florida banking corporation (the "Mortgagee"), whose address is P.O. Box 940370, Maitland, Florida 32794-0370, the owner and holder of that certain Mortgage dated October 22, 2019, and recorded in Official Records Instrument No. 2019066117 (the "Mortgage") encumbering the Property described in the above-referenced Declaration of Covenants, Conditions and Restrictions, by the execution hereof, hereby joins into and consents to the foregoing First Amendment to Declaration of Covenants, Conditions, and Restrictions for Hamrick Estates.

IN WITNESS WHEREOF, the Mortgagee has executed this Joinder and Consent by Mortgagee this _____ day of _____, 2022.

Signed, sealed and delivered in the presence of:

_____ By: _____

Print: _____ Name: _____

_____ Title: _____

_____ Date: _____

Print: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2022, by _____, as the _____ of **FIRST COLONY BANK OF FLORIDA.**, a Florida banking corporation, on behalf of the company. He/She ☐ is personally known to me or ☐ has produced _____ as identification.

Name:

Title: Notary Public

My Commission Expires: _____

(NOTARY STAMP)

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MEMBERS:

By:

HAMRICK ESTATES HOMEOWNERS
ASSOCIATION, INC., a Florida not for profit
corporation

By:  _____
Robert N. Wallen, Director

By: _____
Todd Luke, Director

By: _____
Alan Miller, Director

(CORPORATION'S CORPORATE SEAL)

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